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STATE OF MICHIGAN

IN THE 12th DISTRICT COURT FOR THE COUNTY OF JACKSON

PEOPLE OF THE STATE OF MICHIGAN,

V

File: 2003172FY

JOSEPH MATTHEW MORRISON

Defendant.

/

BOND HEARING

VOL. 1

BEFORE THE HONORABLE MICHAEL J KLAEREN, DISTRICT JUDGE

Jackson, Michigan - Friday March 5, 2021

APPEARANCES:

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1 Jackson, Michigan

2 Friday March 5, 2021- 3:53 p.m.

3 THE COURT: I'm going to call the case of People
4 versus Joseph Morrison, this is file number 2003172fy. This
5 is set for a bond review. I'm currently; I had currently set
6 it at a hundred and fifty thousand dollars. Originally, we
7 another hearing officer had set it at ten million, which I
8 thought was too much, obviously. Mr. Morrison clearly has
9 not bonded out which -- which certainly represents to me, at
10 least in part that probably financing is an issue. On the
11 other hand ability to post the bond is only one of many, is
12 only one of many considerations. You folks can stand up, set
13 down or whatever is, is most comfortable for you. So I'm
14 going to go to Mr. Somberg, go ahead.

15 MR. SOMBERG: Thank you, your Honor. This is
16 defenses motion to -- to modify bond. You, you did lower it
17 from ten million to one hundred and fifty thousand, your
18 Honor. This is still an amount that is, far exceeds any
19 number that my client could -- could afford to pay. A
20 previous motion filed by Attorney Lyons cites the Stack v
21 Boyle in that case to bail a fifty thousand is found to be
22 accepted given the -- the limited financial resources of the
23 defendant and the lack of evidence that they are likely to
24 be before trial. Your Honor I don't, I argue that Mr.
25 Morrison is in -- in the likelihood of light in this case

1 that he has retained counsel, he's been in Michigan his
2 entire life, he's a landowner. We have no objection to a GPS
3 tether; he doesn't even have a passport so he can't leave the
4 country. He, talking to his family he doesn't even have a --
5 a running truck. Your Honor, he's been incarcerated since
6 the raid of October 8th of 2020. Your Honor, he has always
7 come back to court, so his previous record he has an OWI,
8 showed up to court, showed up to court, did probation,
9 completed probation successfully, and then he has that CCW
10 charge which was dropped down to a -- to a misdemeanor for
11 one day credit and one day served. But even in that case
12 your Honor, I'd like the Court to know that Mr. Morrison
13 drove across the state, I think it was like four, four or
14 five times just to show up at every court date and that's
15 eighty, eighty miles and never, eighty miles one way. He
16 never missed any court dates for that. He obviously
17 understands the severity of the charges against him, he you
18 know believes legally innocent, but also believes he fully
19 believes he's innocent and wants to fight this, he wants his
20 day in Court and not to running from this fight by any means
21 your Honor. As far as the other consideration of threat or
22 injury to the community, any firearms that Mr. Morrison has,
23 had they were confiscated, same as Pete Musico who lives on
24 the same property. There are no firearms Pete Musico, also
25 has a GPS tether, there is also no, no contact between them,

1 which has been set by the Court. So there's no issue with
2 them you know there's no issue -- issue with them
3 communicating. Obviously, just finishing the exam so the
4 People have a great deal of -- of testimony to ensure for a
5 bind over, your Honor, and just looking at the Peoples brief
6 in response to the defendants original -- original bond
7 motion, a lot of this is that they're -- they're attaching
8 statements other people may have made or may have said and
9 then just saying well and just attaching it to Joe Morrison -
10 - attaching it to Joe Morrison. And you've heard a day of
11 testimony your Honor, I'm not going through, go -- go -- go
12 through everything, but I think what we did see is that Joe
13 Morrison didn't threaten anybody, wasn't training anybody and
14 wasn't saying these you know crazy off the wall things, your
15 Honor. Yes, his house is used for -- for training, but he
16 was not a part of the plan to kidnap the governor, he wasn't
17 traveling up north with these people. Wasn't going to
18 trainings out of state, he pretty much withdrew his
19 involvement it looked like in, in August. Part of their
20 motion on page four the People brought up Musico stated in
21 the past that he had thrown a Molotov -- Molotov cocktail
22 into a residence. I think that that was hashed out in the
23 testimony that that's very likely this man was talking,
24 talking his talk and both or even the FBI so they're not --
25 they couldn't even find a support on this, your Honor. So

1 the likelihood of that being true is, is very low and it's
2 not Mr. Morrison that, that did that. But your Honor, I'd --
3 I'd like to ask for a bond my -- my client could afford. I -
4 - I talked with him, I -- I don't know if a personal bond
5 would be out of the question with a lot of restrictions. I
6 think a GPS tether is going to, even like a house arrest GPS
7 tether where he can't, can't leave, would be sufficient to,
8 to ensure his coming back to court. I also, I really need
9 him out so he can assist in his own defense. It's very hard
10 with -- with computers and all this stuff you can't bring
11 into the jail for a cross you know a, a piece of glass. I
12 need to be able to sit down with him at my office or at his
13 home and bring all this information my computers and -- and
14 all this audio and -- and talk about this stuff with -- with
15 Mr. Morrison. He needs to be able to assist in his own
16 defense; he can't do that from, from the jail very easily. I
17 did hand you a kite written by Mr. Morrison, it was written
18 back in October your Honor, and this -- this was given to me
19 when I -- I got on the case less than a month ago. But it
20 says your Honor, I come before you humbly and request of a
21 personal recognizance bond I do not ask for myself but for my
22 wife, my almost two year old daughter and a three year old
23 niece who are -- have been traumatized with the way a search
24 warrant was conducted. I have no violent history; I've never
25 been missed court. I served in the Marine Corp. for five

1 years your Honor; I should have brought that up as well.
2 There's been no dishonorable discharge at -- at this point.
3 But he did serve his country, he's a deacon at this church
4 and amends (indiscernible) program. He said he's giving his
5 life to Christ and I've changed my thoughts and actions I am
6 a private contractor and a family man who lives paycheck to
7 paycheck and I am the breadwinner. I do not have much money,
8 I will wear GP -- I will wear a tether gladly so I may
9 comfort my family I am trustworthy, and wise man, and will
10 make a just decision. God bless your Honor and I just ask
11 that you take his own words in consideration in setting a
12 bond, thank you.

13 THE COURT: Okay, thank you. Go ahead?

14 MS. DODDAMANI: Your Honor, our position has not
15 changed that we believe Joe Morrison to be a very dangerous
16 individual and in addition to the several times that he had
17 tried to make bond here and the Court has been given
18 documents, I mean I think our first brief was a hundred and
19 thirty-eight. You now have that as well as the fact that
20 everything in that brief was testified to under oath for
21 three days and you, I'm sorry and the Court at this point I
22 believe has a presentence report. Not presente4nce report,
23 it's some sort of a bond. I think you; you had it earlier
24 judge, but my point here judge is that I think if anything
25 his testimony is alarming and shows what a danger Joe

1 Morrison is. So I'm asking on behalf of the AG's office
2 judge that that you not lower the bond.

3 THE COURT: Okay. Anything further?

4 MR. SOMBERG: I -- I'd just like to let the -- the
5 Court know Mr. Morrison put up his own house for -- for Pete
6 Musico's bond in terms, in terms of collateral, your Honor.
7 But I have nothing further, but would be happy to answer any
8 -- any questions that you may have.

9 THE COURT: Okay. From what I can see in this case
10 all three of the defendants, the confidential informant Dan,
11 I get the impression that all of them have excellent records.
12 I -- I understand that Mr. Morrison has that misdemeanor gun
13 charge, and in an overall scheme of things that's a -- I -- I
14 don't see that as, as really significant. It's a
15 misdemeanor, one misdemeanor; this court sees people with
16 thirty, forty, fifty misdemeanors. I did ask, I don't know
17 if I asked, I must have asked on at least one of these three
18 files because I -- I've had bond reviews on each of the three
19 and was provided with a lot of information on each of the
20 three files and I think that's appropriate. I can certainly
21 separate out the information I receive in a bond hearing with
22 the information that I heard at the prelim -- preliminary
23 examination. I do remember, watch me be wrong but I'm -- I'm
24 pretty sure on this and I'm very cautious when I say I
25 remember, I think I did ask the AG's office or it came out

1 that of the three defendants Mr. Morrison was the most
2 concerning. And I don't think that was the words that they
3 used, but it seemed like I asked for a rating at one point in
4 time. I now have had additional information as a result of
5 almost three days preliminary examination testimony.
6 Obviously, I haven't heard the arguments of the parties, and
7 a certainly have not analyzed the case for purposes of
8 deciding what should be done, vis-a-vis bind over or not.
9 But from a preliminary standpoint two things stand out, which
10 is a little bit different than what I or I should say three
11 things that I -- I -- I didn't realize at the time I set the
12 original bond. First, I didn't quite realize the extent of
13 the connection between the Wolverine Watchmen and the
14 Traverse City or up north alleged kidnap plot, that's one
15 thing that stood out. Secondarily, the beliefs of the
16 defendants and I -- I -- I'm not saying or making a ruling
17 whether they're legitimate or not, whether they're covered by
18 First Amendment or not, but appear to be a bit more strident
19 than I had initially thought and preliminarily appears to
20 have morphed a bit, quite aggressively as time passed. The
21 third observation that I've had I didn't realize the extent
22 of the interstate involvement of these various organizations.
23 In other words, the breath is much larger preliminarily from
24 what I've heard in the last three days than what I at least
25 realized when I initially set the bond, which was obviously

1 dramatically reduced over the objection of the attorney
2 general. I would also note that I think there was some
3 discussion at one or more of the hearings about the
4 consecutive nature of the charges. It appears the gang
5 charge is a consecutive charge; felony firearm is a
6 consecutive charge. The only thing that -- that I have, that
7 seems to mitigate in favor of Mr. Morrison is the fact that
8 it's been established that he doesn't have the money to post
9 the current bond. It's unfortunate that there's ancillary
10 damage to the family here, I deal with that on a daily basis
11 when I set bond. When people get involved in the criminal
12 justice system there are many victims that never even come
13 into the Court as a result of the scenario that we're
14 presented with. But from what I can see here today from a
15 public safety standpoint, I'm perceiving Mr. Morrison to
16 potentially be a greater danger than initially observed when
17 I reduced the bond to a hundred and fifty thousand dollars.
18 So at this juncture, I'm not going to increase the bond, but
19 I'm not going to lower the bond, the bond will remain the
20 same.

21 MR. TOWNSEND: Thank you, your Honor.

22 MR. SOMBERG: Thank you, your Honor.

23 MS. DODDAMANI: Thank you, your Honor.

24 THE COURT: Thank you Mr. Somberg.

25 MS. DODDAMANI: Are we -- are we concluded then

1 judge?

2 THE COURT: We are concluded, thank you very much.

3 MS. DODDAMANI: Thank you.

4 THE COURT: I'm sorry I forget to say that, thank

5 you everyone.

6 (At 4:12 p.m., proceedings concluded

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CERTIFICATION

I certify that this transcript, consisting of 12 pages, is a complete, true, and correct transcript of the Bond Hearing held in the matter of the People of the State of Michigan versus Joseph Matthew Morrison, March 5, 2021.

Date: August 22, 2021

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